

EPA Region III

Office of Public Affairs

EARLY BIRD HEADLINES

Thursday, July 26, 2012

*** MORNING HOT LIST ***

EPA to stop Dimock Twp. water deliveries

SCRANTON TIMES-TRIBUNE The U.S. Environmental Protection Agency will end water deliveries to four homes in Dimock Township after a repeat round of sampling found that elevated manganese in one water well could be treated to safe levels. The announcement Wednesday ends the agency's sampling effort in the Susquehanna County township where past tests raised concerns that nearby Marcellus Shale drilling may have contaminated water supplies and created a health risk. The EPA's tests found no contamination "that would give EPA reason to take further action," Regional Administrator Shawn M. Garvin said in a statement. The EPA said its testing of wells serving 64 homes between January and June found the hazardous substances arsenic, barium or manganese in well water at five homes at levels that could present a health concern. But the agency said that in each of those cases the residents currently have or will have a treatment system that can treat the contaminants to acceptable levels at the tap. It also noted that those contaminants, which it has said can be associated with natural gas drilling, "are also naturally occurring substances." The state Department of Environmental Protection determined in 2009 that faulty gas wells drilled by Cabot Oil and Gas Corp. allowed methane to seep into 18 Dimock water supplies, but the EPA began its own sampling this year after the agency's review of past test results raised concerns about additional contamination. Cabot contends that the methane and other contaminants in Dimock water wells are natural phenomena unrelated to its operations. "As with the three previous sets of water samples compiled by EPA at private drinking water wells in Dimock, the data released today once again confirms the EPA's and DEP's findings that levels of contaminants found do not possess a threat to human health and the environment," Cabot spokesman George Stark said in a statement. The EPA said it is working with residents at the four homes where it has been delivering replacement water on a schedule to disconnect the alternate water supplies. Scott Ely, one of the homeowners receiving deliveries, said he has been told by several consultants that the high pH level in his water would make it expensive to treat. "I have no plans; I have no system," he said. EPA's repeated tests of his water found arsenic, chromium, lithium and sodium above a level flagged for a toxicologist's review. He said that the EPA representative who delivered his most recent test results told him "off the record" not to drink or bathe in his water, but that the agency will remove the bulk water tank at his home by Aug. 6. In a written response to questions, the EPA said its staff "did not have any 'off the record' conversations with residents" and that its risk assessors "thoroughly reviewed all sampling results, comparing them to risk-based levels, and concluded that none of the levels presented a health concern."

Water is safe in town in Pa. drilling region

ASSOCIATED PRESS PITTSBURGH – The U.S. Environmental Protection Agency said Wednesday that it has completed tests on drinking water in the northeastern Pennsylvania village of Dimock and has

determined it is safe to drink, despite the claims of some residents who say it has been polluted by gas drilling. The EPA said in a statement that it doesn't plan further tests, and that there's no need to provide residents with alternative supplies of drinking water. Dimock resident Ray Kemble didn't accept the EPA verdict. "I don't care what EPA says. The water is still polluted," Kemble said. "Do something about it." The town became a focus in the debate over hydraulic fracturing, or fracking, when opponents of drilling showed that some residents were able to light their tap water on fire because of high levels of methane gas. But geologists say such contamination can also happen naturally. Some Dimock residents and anti-drilling groups claimed that Houston-based Cabot Oil & Gas Corp. polluted the local aquifer with methane and toxic chemicals. They have disputed earlier EPA findings that the water was safe. State environmental regulators previously determined that Cabot contaminated the aquifer underneath homes along Carter Road in Dimock with explosive levels of methane, although they later determined the company had met its obligations under a consent agreement and allowed Cabot to stop delivering bulk and bottled water last fall. Some had hoped the EPA would be able to settle the dispute. "Our goal was to provide the Dimock community with complete and reliable information about the presence of contaminants in their drinking water and to determine whether further action was warranted to protect public health," said EPA Regional Administrator Shawn M. Garvin.

EPA declares water in Pa. town safe to drink despite fracking

WASHINGTON TIMES Closely watched tests by the Environmental Protection Agency have found that the drinking water in Dimock, Pa., is safe to drink, despite concerns from some residents and environmentalists that nearby fracking had contaminated supplies. For the past seven months, EPA sampled water at private wells serving 64 homes in the small northeastern Pennsylvania town, the primary setting of the anti-natural-gas documentary "Gasland." EPA found hazardous substances such as arsenic and manganese in water supplies at five of the homes in question, but said Wednesday that the residences have or will soon have treatment systems "that can reduce concentrations of those hazardous substances to acceptable levels at the tap." Agency officials also said EPA will conduct no further testing and will stop delivering fresh water to Dimock residents. "The sampling and an evaluation of the particular circumstances at each home did not indicate levels of contaminants that would give EPA reason to take further action," EPA Regional Administrator Shawn M. Garvin said in a statement. "Throughout EPA's work in Dimock, the agency has used the best available scientific data to provide clarity to Dimock residents and address their concerns about the safety of their drinking water."... In its Wednesday announcement, EPA made clear that the pollutants it identified occur naturally in the area. Industry groups are painting Wednesday's news as a significant victory, and as vindication that fracking is a safe process when done correctly and within the proper state regulatory frameworks. "We are very pleased that EPA has arrived upon these fact-based findings," said Kathryn Klaber, president of the Marcellus Shale Coalition, which represents companies doing business in the region. "We are now able to close this chapter once and for all," she said.

EPA Region 3 Reaches First Settlement Of Right-to-Know Violations at Fracking Sites

BNA DAILY ENVIRONMENT REPORT PHILADELPHIA—Talisman Energy USA Inc. will pay a \$62,457 penalty to settle alleged violations of hazardous chemical reporting requirements at 52 natural gas drilling sites and compressor stations in Pennsylvania, the Environmental Protection Agency said July 25. The Talisman consent agreement is the first settlement of alleged Emergency Planning and Community Right-to-Know Act violations at hydraulic fracturing facilities in EPA Region 3, agency spokesman Roy Seneca told BNA. The statute requires companies that store specified amounts of hazardous chemicals to submit material safety data sheets and lists of chemicals stored on site with state and local emergency response agencies and local fire departments. The lists identify the types and quantities of chemicals present at a site and the safety data describes health risks associated with the chemicals and safe handling instructions. Talisman, which is based in Warrendale, agreed to pay the penalty for failing to file required chemical information for one or more of the past three years at each of the facilities included in the settlement. Although Talisman discovered the violations and self-disclosed them to EPA in December 2010, EPA determined that the company was not eligible for full penalty mitigation because the

agency had conducted a prior investigation of potential EPCRA violations at Talisman facilities in Region 2. For full penalty mitigation under the self-disclosure policy, violations must be discovered and disclosed before EPA or another government agency likely would have discovered them, EPA said. As part of the settlement, the company neither admitted nor denied the alleged violations. Talisman determined during a review of its communication procedures that certain provisions of EPCRA had not been followed, self-reported the matter to EPA, and corrected the deficiencies promptly, the company said in a statement. Talisman said it "appreciates the opportunity to work with EPA to fairly resolve this matter."

W.Va. mine regulators slow on inspections, permits

ASSOCIATED PRESS CHARLESTON, W.Va. (AP) -- West Virginia mine regulators have failed to meet internal goals for timely inspections and permits, a legislative audit concluded, but agency officials disagree with the auditors over why. The report released Tuesday to lawmakers blames vacancies and turnover for the delays at the Division of Mining and Reclamation, part of the Department of Environmental Protection. But Division Director Thomas Clarke chiefly faults heightened scrutiny by the U.S. Environmental Protection Agency since President Barack Obama took office in 2009. "They are trying to substitute themselves for the state's rightful position in interpreting the state's water quality standard," Clarke told a joint meeting of House-Senate committees. The EPA's regional press office did not immediately respond to requests for comment Tuesday. Auditors said they could not verify Clarke's statement in time for the report, but plan to review information from his agency for a follow-up. Both sides did agree that a surge in Freedom of Information Act requests also plays a role. A separate audit, meanwhile, found that the department continues to suffer from poor record-keeping of mining permits and whether coal operators have filed the required bonds. Clarke's agency considers the ideal would be to inspect active mine sites monthly and inactive ones quarterly. While it hit that target 90 percent of the time in 2008 and 2009, the agency's performance fell to 82 percent in 2010, auditors found. "A drop in inspection frequency can have significant environmental and safety impacts," the report notes. The time it took to process permits increased during the four-year study period, the report said. The agency aims to decide 75 percent of surface mining and National Pollution Discharge Elimination Systems permits within a 12-month period. It did so just 55 percent of the time in 2009 and 45 percent in 2010, the report said. Auditors cite agency staffing. Vacancies in the 64-position permitting unit averaged 14 percent between 2008 and 2011, and a total of 14 staffers left the unit during that time. With 100 or so slots, the agency lacked an average of six inspectors during that time with turnover affecting a total of 30 positions. "It's not a hiring freeze," explained John Sylvia, director of the Legislature's Performance Evaluation and Research Division. "In many cases, these positions are available; they're having a hard time filling them. When you have these positions and this turnover, you're trying to keep up with the turnover and also deal with positions that have been open for quite a while. It's simply a case of not being able to hire the people."

Pa. to revamp process to approve DEP permits

PITTSBURGH POST GAZETTE Gov. Tom Corbett issued an executive order on Tuesday, directing state environmental officials to revamp their procedures for ensuring that permit applications are processed efficiently. His directive rescinded an executive order from 1995, which created a money-back guarantee if the state Department of Environmental Protection did not decide on a permit within certain deadlines. The new program instead will aim to improve the department's processing periods so that refunds are not required, said DEP spokesman Kevin Sunday. That will involve crafting new agency guidelines, which will be released for public comment later this summer. In a news release, Mr. Corbett said he has received numerous complaints about the time required for DEP officials to complete permit requests, sparking the administrative action. Mr. Sunday said he did not have figures on how many permit reviews have exceeded the agency's deadlines, and that DEP is working to calculate such a figure. The governor's order also directs DEP to coordinate its reviews when a project involves multiple permits, establish performance standards for permit reviews, and develop and improve electronic permitting tools.

Rivers group assess water-friendly codes in Va.

CBS MONEY WATCH RICHMOND, Va. — An analysis of non-tidal Virginia localities that are part of the Chesapeake Bay watershed found wide variations in the adoption of development codes intended to keep sediment and runoff from entering rivers and streams. The analysis was contained in a report by conservation groups concerned with the well-being of three Virginia rivers: the James, the Potomac and the Rappahannock. The groups examined local development codes and ordinances of 41 cities, towns and counties to assess how well they're embracing "low-impact development" practices. These are rules designed to filter and store rainfall runoff, for example, instead of letting them flow freely into rivers and streams. One approach involves creating more green spaces. Each locality was rated on 76 low-impact principles grouped into categories. They include minimized land disturbances, the preservation of vegetation and reduction of impervious surfaces, such as narrower streets. The scores ranged from 3 percent to 72 percent, with the average locality scoring 27 percent. Each locality scored well in at least one category. Bill Street, executive director of the James River Association, said the study "shows that there's a lot of opportunities" to improve on those practices. "It's important for folks to realize that the land that affects the Chesapeake Bay is not just those counties that touch it," Street said in an interview Tuesday. "It's the land all the way upstream along the James River and the Rappahannock and the Shenandoah Valley that drain into those rivers." Many of the practices advocated by the conservation groups have been promoted in tidal areas around the bay, which have a more direct effect on the 200-mile-long estuary. The Chesapeake Bay is amid a federally ordered restoration involving Virginia, West Virginia, Washington, D.C., and four other states that form the 64,000-square-mile watershed. Years of pollution and neglect have impaired the bay, killing off marine life and creating "dead zones." Street's group conducted the analysis with the Potomac Conservancy and the Friends of the Rappahannock. They looked at development from Craig County in western Virginia, to Loudoun County in the north, to the counties that encircle the outer reaches of Richmond area. The highest scores were recorded by Culpeper and Charlottesville, while lower scores were generally found in rural counties, such as Alleghany, Bath and Highland. Rural counties face fewer development challenges and a lower score would not mean their local waters are more polluted. "I think that's an important thing to stress," Street said.

EPA Fines Talisman Energy For Fracking Violations

STATE IMPACT PENNSYLVANIA Talisman Energy will pay more than \$62,000 in penalties for violations at 52 natural gas wells and compressor stations in Pennsylvania over the past three years. The company self-disclosed the violations to the EPA. Talisman failed to file health and safety information about the chemicals used on-site with state and local emergency response agencies and fire departments. The EPA announced the consent decree through a press release. "Compliance with these requirements is important for the health and safety of facility occupants and first responders in the event of discharge or accidental exposure to hazardous chemicals. The required information also provides valuable information to emergency planners." Material Safety Data Sheets filed with local authorities are required under the Emergency Planning and Community Right-to-Know Act (EPCRA). Material Safety Data Sheets (MSDS) provide both employees and emergency responders with information on how to safely handle and dispose of harmful chemicals.

Blog: Anti-EPA exaggerations: Rep. Capito is at it again

CHARLESTON GAZETTE There's an interesting lineup of bills scheduled for markup tomorrow before the House Committee on Transportation and Infrastructure (where our friend Rep. Nick J. Rahall, D-W.Va., is the ranking minority member). They bills have names like the Preserving Rural Resources Act of 2012 and the Mille Lacs Lake Freedom to Fish Act of 2012. But the one that jumped out at me was Farmer's Privacy Act of 2012, sponsored by Rep. Shelley Moore Capito, R-W.Va. Now, when we last left Rep. Capito, she was spreading untruths about the U.S. Environmental Protection Agency and its alleged efforts to regulate milks spills from dairy farms, in an act that got her big laughs from her friends from the West Virginia Coal Association.

PENNSYLVANIA

PHILADELPHIA INQUIRER

Blog: Safe Chemicals Act gets committee nod (NJ) Legislation to raise the bar for federal approval of chemicals, proposed by democratic N.J. Sen. R. Frank Lautenberg, passed the Senate's Environment and Public Works Committee earlier today. If ultimately passed by the full legislature, it would update the 35-year-old Toxic Substances Control Act. Basically, it changes the presumption of substance innocence, if you will. It would require manufacturers to prove their chemicals are safe before being allowed to use them, instead of requiring that the chemicals have to be proven harmful before they can be banned. Proponents praised the vote, which nevertheless signals a tough battle ahead because it was split along party lines, with every Republican member voting against it. "Americans today moved one step closer to the chemical protections we deserve," said the Natural Resources Defense Council's Daniel Rosenberg, director of its toxic chemical reform project. "For the first time since 1976, comprehensive TSCA reform has been voted out of a committee. This sets the stage for the Senate to finally give the Environmental Protection Agency the tools it needs to protect all of us from toxic chemicals found in products we use every day."

PITTSBURGH POST-GAZETTE

Pa. to revamp process to approve DEP permits Gov. Tom Corbett issued an executive order on Tuesday, directing state environmental officials to revamp their procedures for ensuring that permit applications are processed efficiently. His directive rescinded an executive order from 1995, which created a money-back guarantee if the state Department of Environmental Protection did not decide on a permit within certain deadlines. The new program instead will aim to improve the department's processing periods so that refunds are not required, said DEP spokesman Kevin Sunday. That will involve crafting new agency guidelines, which will be released for public comment later this summer. In a news release, Mr. Corbett said he has received numerous complaints about the time required for DEP officials to complete permit requests, sparking the administrative action. Mr. Sunday said he did not have figures on how many permit reviews have exceeded the agency's deadlines, and that DEP is working to calculate such a figure. The governor's order also directs DEP to coordinate its reviews when a project involves multiple permits, establish performance standards for permit reviews, and develop and improve electronic permitting tools.

HARRISBURG PATRIOT NEWS

EPA says Dimock water is safe to drink The water in Dimock is safe to drink. That's the conclusion of the federal Environmental Protection Agency, which declared on Wednesday that well water in the Susquehanna County town is safe and requires no further testing. Dimock water has been the banner beneath which anti-fracking activists have marched since methane migrated into a local aquifer as a result of inadequate cementing on nearby natural gas wells drilled by Cabot Oil & Gas. Some residents, however, have claimed there was more than just natural gas contaminating their water, and documentary filmmaker Josh Fox made Dimock the centerpiece of his controversial anti-fracking film "Gasland." State environmental regulators said the water was fine, but the howl and cry from some of the residents and the national activists who supported them prompted the EPA to step in. The EPA said Wednesday that sampling at five homes revealed naturally occurring arsenic, barium and manganese at levels that could present a health concern. In all cases, the agency said, "the residents have now or will have their own treatment systems that can reduce concentrations of those hazardous substances to acceptable levels at the tap." In a statement, the EPA said it "has provided the residents with all of their sampling results and has no further plans to conduct additional drinking water sampling in Dimock." The EPA also said it is no longer necessary to provide residents with alternative water and is working with residents on the schedule to disconnect the alternate water sources provided by EPA. "Our goal was to provide the Dimock community with complete and reliable information about the presence of contaminants in their drinking water and to determine whether further action was warranted to protect public health," said EPA Regional Administrator Shawn M. Garvin. "The sampling and an evaluation of the particular circumstances at each home did not indicate levels of contaminants that would give

EPA reason to take further action. Throughout EPA's work in Dimock, the Agency has used the best available scientific data to provide clarity to Dimock residents and address their concerns about the safety of their drinking water." ... "Cabot's operations in Dimock have led to significant economic growth in the area, marked by a collaborative relationship with the local community. Cabot will continue to cooperate with federal, state and local officials in using the best and most accurate science to address public concerns." Kathryn Klaber, president of the Marcellus Shale Coalition, the leading industry group in Pennsylvania, said, "We are very pleased that EPA has arrived upon these fact-based findings, and that we're now able to close this chapter once and for all."

SCRANTON TIMES-TRIBUNE

EPA to stop Dimock Twp. water deliveries The U.S. Environmental Protection Agency will end water deliveries to four homes in Dimock Township after a repeat round of sampling found that elevated manganese in one water well could be treated to safe levels. The announcement Wednesday ends the agency's sampling effort in the Susquehanna County township where past tests raised concerns that nearby Marcellus Shale drilling may have contaminated water supplies and created a health risk. The EPA's tests found no contamination "that would give EPA reason to take further action," Regional Administrator Shawn M. Garvin said in a statement. The EPA said its testing of wells serving 64 homes between January and June found the hazardous substances arsenic, barium or manganese in well water at five homes at levels that could present a health concern. But the agency said that in each of those cases the residents currently have or will have a treatment system that can treat the contaminants to acceptable levels at the tap. It also noted that those contaminants, which it has said can be associated with natural gas drilling, "are also naturally occurring substances." The state Department of Environmental Protection determined in 2009 that faulty gas wells drilled by Cabot Oil and Gas Corp. allowed methane to seep into 18 Dimock water supplies, but the EPA began its own sampling this year after the agency's review of past test results raised concerns about additional contamination. Cabot contends that the methane and other contaminants in Dimock water wells are natural phenomena unrelated to its operations. "As with the three previous sets of water samples compiled by EPA at private drinking water wells in Dimock, the data released today once again confirms the EPA's and DEP's findings that levels of contaminants found do not possess a threat to human health and the environment," Cabot spokesman George Stark said in a statement. The EPA said it is working with residents at the four homes where it has been delivering replacement water on a schedule to disconnect the alternate water supplies. Scott Ely, one of the homeowners receiving deliveries, said he has been told by several consultants that the high pH level in his water would make it expensive to treat. "I have no plans; I have no system," he said. EPA's repeated tests of his water found arsenic, chromium, lithium and sodium above a level flagged for a toxicologist's review. He said that the EPA representative who delivered his most recent test results told him "off the record" not to drink or bathe in his water, but that the agency will remove the bulk water tank at his home by Aug. 6. In a written response to questions, the EPA said its staff "did not have any 'off the record' conversations with residents" and that its risk assessors "thoroughly reviewed all sampling results, comparing them to risk-based levels, and concluded that none of the levels presented a health concern."

ERIE TIMES NEWS

Swimming advisory lifted at Presque Isle A swimming advisory has been lifted at Presque Isle State Park's Beach 11. The advisory was lifted at 11:15 a.m. after testing determined that E. coli levels had returned to levels considered safe. The beach had been under an advisory since Tuesday morning.

STATE IMPACT PENNSYLVANIA

EPA to Stop Water Deliveries to Dimock The Environmental Protection Agency announced Wednesday that it has completed its testing of drinking water supplies in Dimock, Susquehanna County. The EPA says it did find hazardous levels of barium, arsenic or manganese in the water supplies of five households. But the Agency says treatment systems could reduce the amount of toxins to safe levels. As a result, the EPA plans to stop water deliveries to four households, which it had been providing since January. The EPA now says the water in Dimock is safe to drink. EPA Regional Administrator Shawn Garvin says no more action is needed to protect the public health of

Dimock residents, with regard to drinking water.

EPA Fines Talisman Energy For Fracking Violations Talisman Energy will pay more than \$62,000 in penalties for violations at 52 natural gas wells and compressor stations in Pennsylvania over the past three years. The company self-disclosed the violations to the EPA. Talisman failed to file health and safety information about the chemicals used on-site with state and local emergency response agencies and fire departments. The EPA announced the consent decree through a press release. "Compliance with these requirements is important for the health and safety of facility occupants and first responders in the event of discharge or accidental exposure to hazardous chemicals. The required information also provides valuable information to emergency planners." Material Safety Data Sheets filed with local authorities are required under the Emergency Planning and Community Right-to-Know Act (EPCRA). Material Safety Data Sheets (MSDS) provide both employees and emergency responders with information on how to safely handle and dispose of harmful chemicals.

During Kayak Tour, Corbett Ties Marcellus Boom To First Oil Wells For the second summer in a row, Governor Corbett has hit the road — er, river — and toured Pennsylvania tourism spots in a kayak. This year's flotilla photo op brought the Republican to Titusville, where Edwin Drake drilled the very first oil well in 1859. As the Meadville Tribune reports, Corbett tied the first-ever oil boom to present-day natural gas drilling in Pennsylvania's Marcellus Shale. After his 13-mile kayak trip that began early in the day in the Tidioute area, Corbett hopped aboard the Oil City & Titusville Railroad for a mid-afternoon journey from the Oil City area to Titusville. He said the train ride allowed him and others to see the "living monument to the people who had ideas, took risks" and had a lot of "faith in the vision of people." He spoke briefly about the discovery of oil and that people in the Titusville area were the first to drill for oil. He referenced them as "shooting the well," referring to how the men would drill a hole, insert chemicals and a blasting cap and then "go like the devil," referring to how they ran to escape injury. The drilling now starting in the state "can bring new jobs," he said, adding it can make the state "energy-independent," but stressed that we need "to protect our environment" at the same time. For more on Drake's first well, and the Western Pennsylvania oil boom it kicked off, check out this excerpt from the PBS documentary "The Prize." (The Drake segment begins around 7 minutes in.)

Senator Casey Introduces Bill to Support Natural Gas Powered Vehicles Senator Bob Casey has introduced a bill aimed at increasing demand for natural gas. The STATE Natural Gas Act would create a competitive grant process through the Department of Energy to fund public and private investments in natural gas vehicles and infrastructure. StateImpact Pennsylvania recently reported on the challenges to natural gas vehicle development, including the lack of natural gas fueling stations. The state has just 11 public fueling stations for natural gas vehicles. Casey's bill would encourage states to use the grants for tax breaks, rebates or other financial incentives to develop the infrastructure for compressed natural gas. He says natural gas powered vehicles make up less than a tenth of one percent, of all the vehicles on the road. Sen. Casey also introduced the NGEAR Act, which would create rebates for natural gas buses and tax credits for natural gas filling stations.

ASSOCIATED PRESS (Pa.)

EPA rules village's water safe The U.S. Environmental Protection Agency said Wednesday that it has completed tests on drinking water in the northeastern village of Dimock in Susquehanna County and has determined it is safe to drink, despite the claims of some residents who say it has been polluted by gas drilling. The EPA said in a statement that it doesn't plan further tests, and that there's no need to provide residents with alternative supplies of drinking water. Dimock resident Ray Kemble didn't accept the EPA verdict. "I don't care what EPA says. The water is still polluted," Mr. Kemble said. "Do something about it." The town became a focus in the debate over hydraulic fracturing, or fracking, when opponents of drilling showed that some residents were able to light their tap water on fire because of high levels of methane gas. But geologists say such contamination can also happen naturally. Some Dimock residents and anti-drilling groups claimed that Houston-based Cabot Oil & Gas Corp. polluted the local aquifer with methane and toxic chemicals. They have disputed earlier EPA findings that the water was safe. State environmental regulators previously determined that Cabot contaminated the aquifer underneath homes along

Carter Road in Dimock with explosive levels of methane, although they later determined the company had met its obligations under a consent agreement and allowed Cabot to stop delivering bulk and bottled water last fall. Some had hoped the EPA would be able to settle the dispute. "Our goal was to provide the Dimock community with complete and reliable information about the presence of contaminants in their drinking water and to determine whether further action was warranted to protect public health," said EPA Regional Administrator Shawn M. Garvin.

WASHINGTON, D.C.

WASHINGTON TIMES

EPA declares water in Pa. town safe to drink despite fracking Closely watched tests by the Environmental Protection Agency have found that the drinking water in Dimock, Pa., is safe to drink, despite concerns from some residents and environmentalists that nearby fracking had contaminated supplies. For the past seven months, EPA sampled water at private wells serving 64 homes in the small northeastern Pennsylvania town, the primary setting of the anti-natural-gas documentary "Gasland." EPA found hazardous substances such as arsenic and manganese in water supplies at five of the homes in question, but said Wednesday that the residences have or will soon have treatment systems "that can reduce concentrations of those hazardous substances to acceptable levels at the tap." Agency officials also said EPA will conduct no further testing and will stop delivering fresh water to Dimock residents. "The sampling and an evaluation of the particular circumstances at each home did not indicate levels of contaminants that would give EPA reason to take further action," EPA Regional Administrator Shawn M. Garvin said in a statement. "Throughout EPA's work in Dimock, the agency has used the best available scientific data to provide clarity to Dimock residents and address their concerns about the safety of their drinking water."... In its Wednesday announcement, EPA made clear that the pollutants it identified occur naturally in the area. Industry groups are painting Wednesday's news as a significant victory, and as vindication that fracking is a safe process when done correctly and within the proper state regulatory frameworks. "We are very pleased that EPA has arrived upon these fact-based findings," said Kathryn Klaber, president of the Marcellus Shale Coalition, which represents companies doing business in the region. "We are now able to close this chapter once and for all," she said.

DELAWARE

WILMINGTON NEWS JOURNAL

Bedbugs a pervasive problem It was eight years ago that exterminator Paul Rosario first began receiving calls about bedbugs. Today, he fields multiple panicked calls a day and ...

DELAWARE CAPE GAZETTE

Osprey nestlings rescued after fall Long Neck — Two Long Neck area osprey nestlings have a new lease on life after falling out of their nest thanks to some concerned residents and animal rescuers. One of the two young birds was placed back in its nest July 17 while the second is expected to return next week after a short rehabilitation stint at Tri-State Bird Rescue and Research in Newark. The second osprey received minor injuries after becoming entangled in a fish net. The young birds were discovered on the ground late July 13 by Carol Bixler near her Long Neck home, and she was able to remove the birds from their muddy resting place. "They would have been trapped there and probably would have drowned," said Tri-State volunteer Carol Korolog. The two nestlings were transported to Newark by another long-time Tri-State volunteer, Jay Baumgartner. Bob Hughes helped to re-nest the osprey. Hughes, who actually helps to rehab mammals as a member of the Delaware Council for Wildlife Rehabilitators, became involved because of his expertise at climbing trees as the owner of tree service company. "This one really didn't require climbing because the nest was not far off the ground. We were able to use ladders," he said.

WEST VIRGINIA

CHARLESTON GAZETTE

Lawyers given more time before Monsanto settlement WINFIELD, W.Va. -- The judge presiding over the Monsanto class-action dioxin lawsuit has given attorneys more time to submit materials for and against the proposed settlement agreement reached in February on the eve of trial. Circuit Judge Derek Swope signed an order Tuesday with the revised schedule, citing other issues, which have arisen in the case, which, he said, made the previous schedule "impracticable." Attorneys have been ordered to submit proposals for the court's ruling on the fairness of the settlement agreement and will now do so by Aug. 27. The settlement has been challenged by a group of Nitro residents represented by Arlington, Va., attorney Thomas Urban. Before an agreement in a class-action lawsuit is finalized, the members of the class must be notified of the proposed settlement and given a chance to object to its terms. Expert testimony must be presented to prove the settlement is appropriate and that the testing procedures of the medical monitoring match the benefits that originally were sought, among other things. The judge must decide if the settlement reached Feb. 24, after nearly a decade of litigation, is fair, reasonable and adequate.

Blog: Anti-EPA exaggerations: Rep. Capito is at it again There's an interesting lineup of bills scheduled for markup tomorrow before the House Committee on Transportation and Infrastructure (where our friend Rep. Nick J. Rahall, D-W.Va., is the ranking minority member). They bills have names like the Preservering Rural Resources Act of 2012 and the Mille Lacs Lake Freedom to Fish Act of 2012. But the one that jumped out at me was Farmer's Privacy Act of 2012, sponsored by Rep. Shelley Moore Capito, R-W.Va. Now, when we last left Rep. Capito, she was spreading untruths about the U.S. Environmental Protection Agency and its alleged efforts to regulate milks spills from dairy farms, in an act that got her big laughs from her friends from the West Virginia Coal Association.

Blog: Audit: DEP misses inspections, staffing woes continue Larry Messina over at The Associated Press has the first cut of a story out today about a new legislative audit looking at the West Virginia Department of Environmental Protection's performance meeting inspection and permit review targets:...And surprise, surprise, guess who WVDEP is blaming -- But division Director Thomas Clarke faults heightened scrutiny by the U.S. Environmental Protection Agency since President Barack Obama took office in 2009.

WEST VIRGINIA PUBLIC BROADCASTING

Pipestem offers free master naturalist workshop A workshop showing how to improve habitat for wildlife will be offered at Pipestem State Park in Summers County. Pipestem State Park is offering the four \-hour workshop, "Wildlife Habitat Improvement" on Sunday, July 29, 1-5 p.m. Instructor and naturalist Emily Grafton will be the workshop presenter. The workshop is open to any person enrolled in the Master Naturalist program and also is open to anyone interested in a structured workshop about wildlife habitat. The West Virginia Master Naturalist program is for people interested in taking part in the stewardship of our state's natural resources through science-based education and volunteer community service. The program trains interested people in the fundamentals of natural history, nature interpretation and teaching.

ASSOCIATED PRESS (W. Va.)

W.Va. mine regulators slow on inspections, permits CHARLESTON, W.Va. (AP) -- West Virginia mine regulators have failed to meet internal goals for timely inspections and permits, a legislative audit concluded, but agency officials disagree with the auditors over why. The report released Tuesday to lawmakers blames vacancies and turnover for the delays at the Division of Mining and Reclamation, part of the Department of Environmental Protection. But Division Director Thomas Clarke chiefly faults heightened scrutiny by the U.S. Environmental Protection Agency since President Barack Obama took office in 2009. "They are trying to substitute themselves for the state's rightful position in interpreting the state's water quality standard," Clarke told a joint meeting of House-Senate committees. The EPA's regional press office did not immediately respond to requests for comment Tuesday.

Auditors said they could not verify Clarke's statement in time for the report, but plan to review information from his agency for a follow-up. Both sides did agree that a surge in Freedom of Information Act requests also plays a role. A separate audit, meanwhile, found that the department continues to suffer from poor record-keeping of mining permits and whether coal operators have filed the required bonds. Clarke's agency considers the ideal would be to inspect active mine sites monthly and inactive ones quarterly. While it hit that target 90 percent of the time in 2008 and 2009, the agency's performance fell to 82 percent in 2010, auditors found. "A drop in inspection frequency can have significant environmental and safety impacts," the report notes. The time it took to process permits increased during the four-year study period, the report said. The agency aims to decide 75 percent of surface mining and National Pollution Discharge Elimination Systems permits within a 12-month period. It did so just 55 percent of the time in 2009 and 45 percent in 2010, the report said. Auditors cite agency staffing. Vacancies in the 64-position permitting unit averaged 14 percent between 2008 and 2011, and a total of 14 staffers left the unit during that time. With 100 or so slots, the agency lacked an average of six inspectors during that time with turnover affecting a total of 30 positions. "It's not a hiring freeze," explained John Sylvia, director of the Legislature's Performance Evaluation and Research Division. "In many cases, these positions are available; they're having a hard time filling them. When you have these positions and this turnover, you're trying to keep up with the turnover and also deal with positions that have been open for quite a while. It's simply a case of not being able to hire the people."

State touts its oil and gas history CHARLESTON, W.Va. -- The West Virginia Division of Culture and History will open a new exhibit that celebrates the state's oil and gas industry. "The Oil and Gas Industry: West Virginia's Gift to the World" is to debut Friday at the Culture Center in Charleston. The culture agency says the exhibit will feature gasoline pumps with clear glass cylinders, antique oil drums and "yellow dog" lanterns, so named because their two burning wicks resemble a dog's glowing eyes at night. Other items on display will include a vintage Pennzoil gas-station sign, wooden and glass oil cans, drilling tools and a double-piston oil pump, all from the collections of the West Virginia State Museum, the State Archives, the Oil and Gas Museum in Parkersburg, and Columbia Gas.

MARYLAND

BALTIMORE SUN

O'Malley sets up panel to examine power system In light of recent prolonged outages, study seeks ways to protect electric grid in storms. Gov. Martin O'Malley set up a work group Wednesday to propose ways of improving the resiliency of the state's electrical grid in storms, seeking to avoid prolonged outages such as the ones experienced by Baltimore Gas and Electric and Pepco customers this month.

O.C. dolphin count lower than last year For beachgoers, seeing dolphins in the water off Ocean City is always a treat, but this year's annual dolphin count came up short, which could mean getting a glimpse of the animals may be more difficult.

State invests \$25 million to cut schools' energy bills Districts can apply for 'green schools initiative' funding online. Public school districts across Maryland can now apply for state funding to reduce their energy consumption as part of a new \$25 million "green schools initiative," the Maryland Energy Administration announced Wednesday.

Big independent Maryland farm launches Kickstarter to build iPhone apps One Straw Farm , one of the biggest independent farms in Maryland and a familiar presence at farmers' markets across the Baltimore region, is on a quest to build two iPhone apps that will help modernize its business and better connect with its customers.

Chincoteague pony swim a dream come true for fans of 'Misty' novel More than 145 horses were poised at the Assateague Channel for the annual 75-yard swim, a tradition that has outlived most people on this tiny Virginia

island. For 87 years, the herd owned by the island's volunteer fire company has plunged into the shallow water separating the wildlife refuge of Assateague Island from Chincoteague, where the youngest ponies are auctioned at a carnival.

SALISBURY DAILY TIMES

Marsh madness for pony lovers CHINCOTEAGUE ISLAND -- After reading Marguerite Henry's "Misty of Chincoteague" in May, Domenica George of Cleveland had to visit the island.

The next month, the 9-year-old horse lover came to town with family members to see Chincoteague ponies for the first time. "We fell in love with the horses in just a few days," George said. On Wednesday morning, she joined her 7-year-old sister, Alayna, and father, Tony, to watch the ponies once more at the 87th annual Pony Swim. A steady breeze and mild temperatures greeted tens of thousands of spectators as they gathered at Pony Swim Lane and Memorial Park to watch the world-famous herd swim across Assateague Channel. About 140 ponies were led into the water by the Saltwater Cowboys, honorary members of the Chincoteague Volunteer Fire Company, which owns and maintains the ponies

VIRGINIA

NORFOLK VIRGINIAN PILOT

Virginia Beach aquifer studies use new magnetic tool VIRGINIA BEACH-- A rose is a rose, but that's not the case with sand or aquifers, and a new magnetic imaging tool similar to medical MRIs is proving the point. Using a nuclear magnetic-resonance wand, scientists with the U.S. Geological Survey are looking down water wells to see the lay of the land around them. The device gives a more detailed look than other tools can provide at how and where water moves underground. The data will be used to help map aquifers and aid the city in protecting that part of its water supply. Scientists worked Wednesday at Bayville Farms Park off Shore Drive, where the city has two wells, one in a shallow aquifer and one deeper. The USGS monitors wells across the city to watch for saltwater intrusion caused by pumping water for irrigation and other uses. To date, no such contamination has been found, even though the water level in some wells is below sea level. "You have the physical conditions for seawater intrusion," hydrologist Kurt McCoy said. "The fundamental question is why, and where could we expect it to happen, based on geology? "A sand is not a sand is not a sand. We're able now to look and say this sand allows water to move, and this one doesn't."

Volunteers to conduct annual dolphin count Saturday Volunteers are planning to line the shore Saturday morning for the annual dolphin count. The count, in its 20th year, will happen from 8 a.m. to noon at observation posts along the lower Chesapeake Bay and Virginia Beach, according to the Virginia Aquarium & Marine Science Center. Fifty trained volunteers will conduct the count. The count will give aquarium researchers an idea of the number of dolphins in coastal waters. The information will be used for resource management and conservation.

Hampton Roads Transit awarded \$3M in federal grants NORFOLK Hampton Roads Transit was awarded two federal grants that will go toward purchasing a new asset management system and vans.

CBS MONEY WATCH

Rivers group assess water-friendly codes in Va. RICHMOND, Va. — An analysis of non-tidal Virginia localities that are part of the Chesapeake Bay watershed found wide variations in the adoption of development codes intended to keep sediment and runoff from entering rivers and streams. The analysis was contained in a report by conservation groups concerned with the well-being of three Virginia rivers: the James, the Potomac and the Rappahannock. The groups examined local development codes and ordinances of 41 cities, towns and counties to assess how well they're embracing "low-impact development" practices. These are rules designed to filter and store

rainfall runoff, for example, instead of letting them flow freely into rivers and streams. One approach involves creating more green spaces. Each locality was rated on 76 low-impact principles grouped into categories. They include minimized land disturbances, the preservation of vegetation and reduction of impervious surfaces, such as narrower streets. The scores ranged from 3 percent to 72 percent, with the average locality scoring 27 percent. Each locality scored well in at least one category. Bill Street, executive director of the James River Association, said the study "shows that there's a lot of opportunities" to improve on those practices. "It's important for folks to realize that the land that affects the Chesapeake Bay is not just those counties that touch it," Street said in an interview Tuesday. "It's the land all the way upstream along the James River and the Rappahannock and the Shenandoah Valley that drain into those rivers." Many of the practices advocated by the conservation groups have been promoted in tidal areas around the bay, which have a more direct effect on the 200-mile-long estuary. The Chesapeake Bay is amid a federally ordered restoration involving Virginia, West Virginia, Washington, D.C., and four other states that form the 64,000-square-mile watershed. Years of pollution and neglect have impaired the bay, killing off marine life and creating "dead zones." Street's group conducted the analysis with the Potomac Conservancy and the Friends of the Rappahannock. They looked at development from Craig County in western Virginia, to Loudoun County in the north, to the counties that encircle the outer reaches of Richmond area. The highest scores were recorded by Culpeper and Charlottesville, while lower scores were generally found in rural counties, such as Alleghany, Bath and Highland. Rural counties face fewer development challenges and a lower score would not mean their local waters are more polluted. "I think that's an important thing to stress," Street said.

CHARLOTTESVILLE DAILY PROGRESS

Devil's Backbone to hold clean water breakfast The Chesapeake Bay Foundation and Rivanna Conservation Society plan to host a clean water breakfast on Aug. 3. The breakfast is set for 8:30 to 11 a.m. at Devils Backbone Brewing Co. in Nelson County. The event will feature presentations on how property owners can reduce runoff pollution from their yards and farms to improve the health of local streams and the Chesapeake Bay. Speakers include Bobby Whitescarver, a private consultant and retired Natural Resources Conservation Service conservationist with more than 31 years of experience helping farmers keep livestock out of streams and providing alternative watering systems; and Chris Sonne, a civil engineer who helps municipal, commercial and residential property owners implement low-impact landscape designs to reduce runoff. Reducing runoff pollution from farms and localities is among the key goals of Virginia's Chesapeake Bay restoration "blueprint," a plan to reduce pollution and restore clean water in local streams, rivers and the bay by 2025.

ASSOCIATED PRESS (Va.)

Va. Chesapeake Bay restoration grants available RICHMOND -- A legislative committee that oversees Chesapeake Bay restoration funds says nearly \$372,000 is available for education and conservation efforts to benefit the bay. The Chesapeake Bay Restoration Advisory Committee says it's accepting applications for grant funding for project proposals from nonprofit conservation groups, government agencies and schools and universities. The application deadline is Oct. 1, and the state will award the grants next May and June. The grants come from money raised by the sale of Virginia's special "Friend of the Chesapeake" license plates.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

EPA Says Final Testing of Wells in Pennsylvania Finds Water Safe EPA completes its sampling of private drinking water wells near Dimock, the Pennsylvania town where groundwater contamination was linked to natural gas drilling in 2009, and has determined that contaminant levels do not require additional action. "Our goal was to provide the Dimock community with complete and reliable information about the presence of contaminants in their

drinking water and to determine whether further action was warranted to protect public health,” EPA Region 3 Administrator Shawn M. Garvin says

EPA Region 3 Reaches First Settlement Of Right-to-Know Violations at Fracking Sites PHILADELPHIA—Talisman Energy USA Inc. will pay a \$62,457 penalty to settle alleged violations of hazardous chemical reporting requirements at 52 natural gas drilling sites and compressor stations in Pennsylvania, the Environmental Protection Agency said July 25.

The Talisman consent agreement is the first settlement of alleged Emergency Planning and Community Right-to-Know Act violations at hydraulic fracturing facilities in EPA Region 3, agency spokesman Roy Seneca told BNA. The statute requires companies that store specified amounts of hazardous chemicals to submit material safety data sheets and lists of chemicals stored on site with state and local emergency response agencies and local fire departments.

The lists identify the types and quantities of chemicals present at a site and the safety data describes health risks associated with the chemicals and safe handling instructions. Talisman, which is based in Warrendale, agreed to pay the penalty for failing to file required chemical information for one or more of the past three years at each of the facilities included in the settlement. Although Talisman discovered the violations and self-disclosed them to EPA in December 2010, EPA determined that the company was not eligible for full penalty mitigation because the agency had conducted a prior investigation of potential EPCRA violations at Talisman facilities in Region 2. For full penalty mitigation under the self-disclosure policy, violations must be discovered and disclosed before EPA or another government agency likely would have discovered them, EPA said. As part of the settlement, the company neither admitted nor denied the alleged violations. Talisman determined during a review of its communication procedures that certain provisions of EPCRA had not been followed, self-reported the matter to EPA, and corrected the deficiencies promptly, the company said in a statement. Talisman said it “appreciates the opportunity to work with EPA to fairly resolve this matter.”

EPA Faces Challenges Over Attainment Designations for Ozone Standard EPA faces legal challenges over its decision to designate 46 areas of the country as being in nonattainment of the 2008 air quality standard for ozone. States, counties, industry groups, and environmental groups file 16 petitions in the U.S. Court of Appeals for the District of Columbia Circuit for review of the rule. EPA published a final rule in May outlining the attainment designations as part of the agency's implementation of the 2008 national standard for ozone of 0.075 part per million

Bill Would Block EPA Power Plant Rule Pending Carbon Capture Study House legislation introduced by Rep. McKinley would block EPA from finalizing a rule requiring new coal-fired power plants to install carbon capture systems until such systems are economically and technologically viable. H.R. 6172, co-sponsored by five Democrats and four Republicans, would prevent EPA from finalizing its proposed new source performance standards for new fossil fuel-fired power plants, which would set the first ever source-specific emission standard for carbon dioxide. The bill would task a number of federal agencies with determining when carbon capture would be economically and technologically viable

EPA Clarifies Ability-to-Pay Test for Clean Water Act Compliance EPA's top water official clarifies in House testimony that the median household income threshold set in 1997 guidance is not the only measure the agency uses to ascertain a community's financial ability to comply with Clean Water Act obligations. Nancy Stoner, EPA acting assistant administrator for water, responds to concerns aired by city and county officials that EPA was determining communities' financial ability to comply on the basis of a 2 percent median household income measure

HEALTH DAY

London Smog May Be Tough on Olympians Air pollution may aggravate breathing problems among athletes with asthma or a related condition known as exercise-induced bronchoconstriction at the 2012 Summer Olympics in London, an allergists' group warns. "It has been well documented that elite athletes in the Olympics have an

increased prevalence of [exercise-induced bronchoconstriction]," Dr. William Silvers, a member of the American Academy of Allergy, Asthma & Immunology's Sports Medicine Committee, said in an academy news release. "They may not have suspected it, since they don't have chronic asthma but rather a narrowing of the airways that comes specifically with exercise." Also known as exercise-induced asthma, exercise-induced bronchoconstriction affects one in six Olympic athletes and about 20 percent of elite athletes. The condition causes otherwise healthy people to experience symptoms -- such as coughing, wheezing, chest tightness and shortness of breath -- during or after exercise.

BLOOMBERG NEWS

Drought to inflate grocery prices WASHINGTON - U.S. consumers may pay 3 percent to 4 percent more for food next year, as the effects of the country's worst drought since the 1950s work their way onto supermarket shelves, the Department of Agriculture said Wednesday in its first forecast for 2013. Beef may rise as much as 5 percent in response to tight supplies of corn, which is used to feed cattle, the USDA said in a report on its website. The price of the grain, the country's biggest crop, has surged more than 50 percent since June 15. Food prices will rise 2.5 percent to 3.5 percent this year, the agency said, leaving its 2012 estimate unchanged. Corn and soybean futures both reached record highs this week on the Chicago Board of Trade, and wheat touched its highest since 2008 as the dry conditions worsened in the Midwest and Great Plains. The drought that prompted the USDA to declare natural disasters in almost 1,300 counties in 29 states - about a third of the country's total - may lead to the smallest corn harvest since 2006, Doan Advisory Services Co. said July 23. "The transmission of commodity price changes into retail prices typically takes several months to occur, and most of the impact of the drought is expected to be realized in 2013," said Richard Volpe, the USDA's food economist, wrote in a note accompanying the forecast.

WALL STREET JOURNAL

EPA Approves Town's Water After Fracking Fear The Environmental Protection Agency has given the all-clear to drinking water in Dimock, Pa., a tiny town that received national attention after people there voiced concern about contamination from hydraulic fracturing. In a statement Wednesday, the EPA said it conducted sampling of drinking-water wells that served 64 homes and didn't find any contaminants that would require further action by the agency. "Throughout EPA's work in Dimock, the agency has used the best available scientific data to provide clarity to Dimock residents and address their concerns about the safety of their drinking water," EPA Regional Administrator Shawn M. Garvin said in a statement. Dimock, featured in the documentary film "Gasland," has been a flash point in the broader debate over hydraulic fracturing, or "fracking," a process used to create seams in rocks and unlock the natural gas trapped inside. Public-health advocates and environmental groups have said the process is inherently risky and poses a risk to drinking water across the country. The Dimock area had been the site of natural-gas drilling by Cabot Oil & Gas Corp. When the EPA first said earlier this year that it would look into possible contamination, Cabot said the agency's actions were politically motivated. "Cabot's operations in Dimock have led to significant economic growth in the area, marked by a collaborative relationship with the local community," the company said in a statement Wednesday. "Cabot will continue to cooperate with federal, state and local officials in using the best and most accurate science to address public concerns." In 2010, Cabot agreed to pay \$4.6 million to Pennsylvania regulators and 19 rural households whose drinking water was contaminated by the company's nearby natural-gas-drilling activities, according to state officials. The EPA didn't offer a view on whether Cabot's drilling may have caused contamination in years past. It said its findings were exclusively based on samples taken this year. Cabot has maintained that its drilling wasn't responsible for contamination. The EPA said Wednesday that it found hazardous substances at wells serving five homes but that the substances are naturally occurring. It said homeowners have or will acquire treatment systems to reduce the level of the substances to acceptable levels. The agency also said it would stop providing alternative water supplies to some people who were concerned about the safety of their water.

NEW YORK POST

Blog: EPA destroys anti-fracking dogma An article of faith among many current environmentalists is that a particular method of extracting natural gas from the earth -- hydraulic fracturing, or fracking -- is dangerous. The

danger most often cited is groundwater contamination and the example always given is Dimock, PA where a few years ago a small group of residents claimed their groundwater had become a health hazard due to gas drilling by Cabot Oil & Gas. The EPA got into the act by conducting its own sampling study of private drinking water. The results were released today and could not be more clear: There was no groundwater poisoning. "Based on the outcome of [its] sampling, EPA has determined that there are not levels of contaminants present that would require additional action by the Agency," the EPA press release says. The water does have contaminants ("during the sampling in Dimock, EPA found hazardous substances, specifically arsenic, barium or manganese"), but none that can conclusively be tied to gas drilling. Instead, all the chemicals found in these few samples of Dimock drinking water are present naturally. "In all cases the residents have now or will have their own treatment systems that can reduce concentrations of those hazardous substances to acceptable levels at the tap. EPA has provided the residents with all of their sampling results and has no further plans to conduct additional drinking water sampling in Dimock," the press release concludes.